

EXHIBIT 2

COUNTY OF Shelby
STATE OF ALABAMA

SWORN AFFIDAVIT

Please know by these presents that on this 23rd day of March in the year 2005 did come and appear before the undersigned Notary Public in and for the County of Shelby in the State of Alabama, one Dr. Edward L. Robinson a physicist and a duly Board Certified accident reconstructionist, 233 Oakmont Road in Birmingham. Alabama 35244-3264, who did declare depose and say the following:

1. That he is a duly credentialed holder of a PhD in Physics from Purdue University received in 1962.
2. That he has received full accreditation as a Traffic Accident Reconstructionist from the Governing Board of Directors of the Accreditation Commission for Traffic Accident Reconstruction and has the Registration and certification number of 399 with the Expiration Date October 29, 2008.
3. That he is a fully accredited member of: National Association of Traffic Accident Reconstructionists and Investigators, The National Association of Professional Accident Reconstruction Specialists, The Society of Accident Reconstructionists, The Southeastern Society of Accident Reconstruction Specialists, The Texas Association of Accident Reconstruction Specialists, (member TAARS Board of Directors 1999-2003), The Institute of Traffic Accident Investigators in the United Kingdom, The Canadian Association of Technical Accident Investigators and Reconstructionists, The Australian and South Pacific Association of Collision Investigators, The American Association of Physics Teachers, The American Physical Society, The Society of Automotive Engineers and The American Society of Mechanical Engineers.
4. That he and his associates performed a detailed accident reconstruction of the accident of September 2, 2004 which involved the 1998 Kenworth tractor trailer driven by Mr. Vernell B. Morris and the 1995 Peterbilt tractor trailer driven by Mr. Edward Neal Thompson which occurred on Interstate Highway 85 northbound between Macon County Road 30 and Macon County Road 93 in Macon County, Alabama.
5. That during the course of the investigation, the accident site was inspected, measured and photographically documented.
6. That he and his associated carefully reviewed the Alabama Uniform Traffic Accident Report and reviewed all of the photographs taken by the Alabama State Troopers and reviewed both the Autopsy and Toxicological Report of the Alabama Department of Forensic Sciences (Report No. 277AA-04MM00467).
7. That the cab of the 1998 Kenworth Tractor, which was driven by Mr. Vernell B. Morris at the time of the accident, was inspected, photographed and measured, and this inspection was performed at Kern's Truck Parts near Atlanta, Georgia in the presence of Mr. Donald Glenn of Rimkus Engineering.

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- 8 That he and his associates created a forensic map of the accident area and made a scale diagram of the area of the accident.
9. That he and his associates made findings based upon the detailed examination of the accident , the 1998 Kenworth tractor cab, the Alabama Uniform Traffic Accident Report, site scene photographs and the Alabama Department of Forensic Sciences' Autopsy and Toxicology Report which revealed that physical evidence shows that very much more probably than not Mr. Morris was wearing his safety belt and was alive at the time that his 1998 Kenworth tractor trailer was struck by the 1995 Peterbilt Tractor driven by Mr. Edward N. Thompson and that the damage and total destruction of the latch mechanism of Mr. Morris' seat belt very much more probably than not, was directly caused by the collision between the two trucks and not the rollover of the Kenworth.
10. That the examination of the physical evidence, State Police Report and Photographs and accident site examinations clearly reveals the deformation of the 1998 Kenworth Tractor and its driver's seat was almost certainly (very much more probably than not) caused by the collision between the two trucks and not the rollover event experienced by the 1998 Kenworth prior to the collision impact of the 1995 Peterbilt Tractor Trailer driven by Mr. Edward N. Thompson.
11. That the detailed examination of the physical evidence and the State Police Data by him and his associates reveals that both vehicles would have necessarily had their headlights on while traveling on this highway at night, and it is more probable than not that after experiencing the rollover all or substantially all of the Kenworth truck lights and trailer lights remained on with all the reflectors still functional. The tractor-trailer light reflectors more probably than not gave off some illumination that could have and should have been seen by the Peterbilt tractor trailer driver.
12. That the examination of the accident site and the review of the photographs of the accident scene taken by the Alabama State Patrol show that there is no physical evidence of any visible skid marks from the Peterbilt tractor or the trailer it was towing and the absence of such skid mark evidence shows that it is more probable than not that the Peterbilt driver was traveling at least 70 miles per hour at the moment he collided with the Kenworth tractor and that the Peterbilt driver more probable than not did not apply his brakes and/or that his brakes more probable than not failed to work because they were adjusted improperly or suffered some significant mechanical or design defect.
13. That the opinions and conclusions in this affidavit have been formulated from independent research and testing using standard methodologies accepted and utilized throughout the Vehicle Accident Reconstruction profession and have been applied to this and other similar cases.
14. The conclusions are naturally from the application of widely validated and accepted Vehicle Accident Reconstruction concepts to the facts involved in this case and are stated within a reasonable degree of certainty as an Expert in the field of Vehicle Accident Reconstruction.

STATE OF ALABAMA
COUNTY OF SHELBY

VERIFICATION

BE IT KNOWN, that on this 23rd day of March, 2005, before me, the undersigned Notary Public, duly commissioned and qualified in and for the County of Shelby and the State of Alabama, therein residing, and in the presence of the undersigned competent witnesses came and appeared:

Edward L. Robinson, Ph.D.

resident of Birmingham, Alabama, and of the full age and majority, who declared and acknowledge that he made the foregoing statement in its entirety and attests to the truth of the matter.

THUS DONE, READ AND PASSED in the County and the State aforesaid, this 23rd day of March, 2005, in the presence of the tow undersigned competent witnesses, who have hereunto signed their names as such on the date, month and year first above written.

Witnesses:

Dick R. Galt

Address 130 Inverness Plz
Birmingham, AL 35242

Edward L. Robinson

Edward L. Robinson, Ph.D. (Physics)

**BOARD CERTIFIED VEHICLE ACCIDENT
RECONSTRUCTIONIST (ACTAR #399)**

Date of Birth: Sept 14, 1942

Telephone Number: (205) 991-9999

Lisa F. Ballew

Address 240 Meadowcroft Cr.

Date of Birth: 01-07-71

Telephone Number: 437-0781

~~Certified~~ Accredited

Marilyn Braswell
Notary Public

My Commission Expires 2/28/09

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THUS SIGNED this 23rd day of March, 2005.

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WITNESS

Address 130 Inverness Plz
Birmingham, AL 35242

Edward L. Robinson

Edward L. Robinson, Ph.D. (Physics)

BOARD CERTIFIED VEHICLE ACCIDENT
RECONSTRUCTIONIST (ACTAR #399)

Date of Birth Sept. 14, 1982

Telephone Number (205) 991-9999

Lisa J. Bullock

WITNESS

Address 240 Meadowcroft Cr.

Date of Birth 01-07-71

Telephone No, 437 0781

SWORN TO AND SUBSCRIBED TO BEFORE ME NOTARY PUBLIC on this
23rd day of March, 2005 in the County of Shelby in the State of Alabama

Marilyn Braxwell

NOTARY PUBLIC

My Commission Expires 2/28/09